

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 114

Introduced by Cudaback, 36; Vrtiska, 1

Read first time January 7, 1999

Committee: Transportation

A BILL

- 1 FOR AN ACT relating to counties; to amend section 84-712.01,
- 2 Reissue Revised Statutes of Nebraska; to change a
- 3 provision relating to access to public records by modem;
- 4 and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 84-712.01, Reissue Revised Statutes
2 of Nebraska, is amended to read:

3 84-712.01. (1) Except when any other statute expressly
4 provides that particular information or records shall not be made
5 public, public records shall include all records and documents,
6 regardless of physical form, of or belonging to this state, any
7 county, city, village, political subdivision, or tax-supported
8 district in this state, or any agency, branch, department, board,
9 bureau, commission, council, subunit, or committee of any of the
10 foregoing. Data which is a public record in its original form
11 shall remain a public record when maintained in computer files.

12 (2) When a custodian of a public record of a county ~~which~~
13 ~~has a population of one hundred thousand inhabitants or more as~~
14 ~~determined by the most recent federal decennial census~~ provides to
15 a member of the public, upon request, a copy of the public record
16 by transmitting it from a modem to an outside modem, a reasonable
17 fee may be charged for such specialized service. Such fee may
18 include a reasonable amount representing a portion of the
19 amortization of the cost of computer equipment, including software,
20 necessarily added in order to provide such specialized service.
21 This subsection shall not be construed to require a governmental
22 entity to acquire computer capability to generate public records in
23 a new or different form when that new form would require additional
24 computer equipment or software not already possessed by the
25 governmental entity.

26 (3) Sections 84-712 to 84-712.03 shall be liberally
27 construed whenever any state, county, or political subdivision
28 fiscal records, audit, warrant, voucher, invoice, purchase order,

1 requisition, payroll, check, receipt, or other record of receipt,
2 cash, or expenditure involving public funds is involved in order
3 that the citizens of this state shall have the full right to know
4 of and have full access to information on the public finances of
5 the government and the public bodies and entities created to serve
6 them.

7 Sec. 2. Original section 84-712.01, Reissue Revised
8 Statutes of Nebraska, is repealed.